

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DONALD R. WIELD

Plaintiff,

v.

JOHN BETT,

Defendant.

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ORDER

07-cv-570-jcs

On February 29, 2008, I considered plaintiff's request for leave to proceed in forma pauperis on appeal and concluded that he had not accrued three strikes under 28 U.S.C. § 1915(g) and that his appeal was not taken in bad faith. I concluded also that plaintiff was required to pay an initial partial payment of the filing fee for his appeal, but that I could not calculate the amount of the payment because plaintiff had not submitted a certified copy of his trust fund account statement for the six-month period immediately preceding the filing of his notice of appeal as required by 28 U.S.C. § 1915(a)(2).

Plaintiff has now submitted a certified copy of his trust fund account statement for the six months preceding February 25, 2008, the date he filed his appeal. From this statement, I conclude that he qualifies for indigent status, and that he must pay an initial

partial payment to the clerk of this court in the amount of \$3.22.

ORDER

IT IS ORDERED that plaintiff Wield may have until April 4, 2008, in which to submit a check or money order made payable to the Clerk of Court in the amount of \$3.22 as an initial partial payment of the fee for filing his appeal. The remainder of the \$455 fee must be paid in monthly installments according to 28 U.S.C. § 1915(b)(2).

If, by April 4, 2008, plaintiff fails to pay the initial partial payment, I will notify the court of appeals so that it may take whatever action it deems appropriate with respect to this appeal.

Entered this 21<sup>st</sup> day of March, 2008.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge